

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE VIVENDI UNIVERSAL, S.A.  
SECURITIES LITIGATION

No. 02 Civ. 5571 (RJH)

JAMES J. SABELLA hereby declares under penalty of perjury pursuant to 28 U.S.C.  
§ 1746 that the following is true and correct:

1. I am a director of Grant & Eisenhofer P.A. ("G&E"), attorneys for certain of the Individual Plaintiffs in this matter. I make this declaration in opposition to the Class Plaintiffs' "Motion Regarding Misleading Mass Mailing Sent to French Class Members by Certain Counsel for the Individual Plaintiffs."

2. On May 30, 2008, class counsel brought to my attention that certain letters had been written to French investors informing them that the defendants had moved to exclude French investors from the class. G&E played no role in drafting or sending such letters, and prior to being informed about them by class counsel, neither I nor anyone else at G&E was aware of such letters.

3. The letters had been sent by Alexander Reus of Diaz Reus & Targ LLP (f/k/a Diaz Reus Rolff & Targ LLP) ("DRRT"), which is co-counsel with G&E in some of the Individual Actions. I obtained from Mr. Reus a copy of the template used for such letters and sent it to class counsel on June 2, 2008.

4. Also on June 2, 2008, I informed class counsel that no further letters of this nature would be sent pending the Court's ruling on defendants' motion for reconsideration of the class certification order.

Done at New York, New York this 18th day of June, 2008.

A handwritten signature in black ink, appearing to read "James J. Sabella", written over a horizontal line.

James J. Sabella (JS 5454)